



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/783,371	02/20/2004	Shigeo Konuma	04099 /LH	2428
------------	------------	---------------	-----------	------

1933	7590	01/04/2006
------	------	------------

FRISHAUF, HOLTZ, GOODMAN & CHICK, PC
220 Fifth Avenue
16TH Floor
NEW YORK, NY 10001-7708

EXAMINER

GRAINGER, QUANA MASHELL

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 01/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/783,371

Applicant(s)

KONUMA ET AL. 

Examiner

Quana M. Grainger

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 and 8-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims recite “the message” and it is unclear which message it refers to since these claims recite “at least one message” and “a help message”.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Watts (6,22,539). The image printing apparatus by Watts comprising: image printing means for printing an image on the basis of image data; storage means for storing information concerning details of a message for operating said image printing apparatus; and display means for displaying the message and for, when a message for which the information concerning the details

Art Unit: 2852

of the message is stored in said storage means is displayed, displaying identification information which indicates that the details of the message can be displayed (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37). The apparatus further comprises control means for causing said display means to display the message, said storage means stores the information concerning the details of the message in correspondence with information concerning the message, and said control means recognizes whether or not information concerning the details of the message is stored in said storage means, when causing said display means to display the message, and causes said display means to display identification information together with the message, when recognizing that the information is stored (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

The storage means stores corresponding information which indicates that the information concerning the details of the message is stored in correspondence with the information concerning the message, and said control means recognizes on the basis of the corresponding information whether or not the information concerning the details of the message is stored in said storage means (Figure 4; column 5, lines 4-16). The apparatus further comprises operating means having a help key which is operated by a user to instruct said display means to display a help message, said control means changes display contents on said display means when said operating means is operated, and the identification information is information for identifying each of a plurality of messages displayed by said designating means as a message for which whether or not the information concerning the details of the message can be displayed on said display means (Figure 5A-5L; column 5, lines 17-37). The control means causes said display means to display the details of the message on the basis of the information concerning the details

Art Unit: 2852

of the message when the help key is operated while the identification information is displayed on said display means together with the message (Figure 5A-5L; column 5, lines 17-37).

The message is displayed on said display means together with a setting window for setting a condition for formation of the image, and said control means causes said display means to display details of the message on the basis of information concerning the details of the message when the help key is operated while the identification information is displayed, and causes said display means to display the details of the setting window when the help key is operated while the identification information is not displayed on said display means together with the message (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

The message is displayed on said display means together with a setting window for setting a condition for formation of the image, and said control means causes said display means to display information concerning details of the message when the help key is operated while the identification information is displayed, and causes said display means to display detailed information concerning the setting window when the help key is operated while the identification information is not displayed on said display means, and the detailed information concerning the setting window is stored in said storage means (Figure 4; column 5, lines 4-16). The storage means stores the detailed information concerning the setting window in correspondence with the information concerning the setting window, and said control means determines whether or not the detailed information concerning the setting window is stored in said storage means, when the help key is operated while the identification information is not displayed on said display means, and causes said display means to display the setting window, when determining that the detailed information is stored in said storage means.

The message and the details of the message are an operation instruction for the user and details of the operation instruction, respectively, and said control means causes said display means to display the details of the operation instruction when the help key is operated while the identification information is displayed on said display means together with the operation instruction for the user. The message and the details of the message are a message stating that image printing cannot be started and details indicating that image printing cannot be started, respectively, and said control means causes said display means to display details indicating that the image printing cannot be started, when the help key is operated while the identification information is displayed on said display means together with the message stating that the image printing cannot be started (Figure 5D; column 5, lines 17-37).

Watts teaches an image printing apparatus comprising: image printing means for printing an image on the basis of image data; operating means operated by a user; display means for changing display contents when said operating means is operated; and control means for controlling said display means, wherein said operating means includes a help key for selecting a help function, and said control means causes said display means to display details indicating that image printing cannot be started, when the help key is operated while a message stating that image printing cannot be started is displayed on said display means (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

Watts teaches an image printing apparatus comprising: image printing means for printing an image on the basis of image data; operating means operated by a user; display means for changing display contents when said operating means is operated; and control means for controlling said display means, wherein said operating means includes a help key for selecting a

Art Unit: 2852

help function, and said control means causes said display means to display details of an instruction operation for the user, when the help key is operated while message indicating the operation instruction for the user is displayed on said display means.

The control means for controlling said display means, wherein said operating means includes a help key for selecting a help function, and said control means causes said display means to display the details of the message, if information concerning the details of the message corresponding to the message displayed on said display means is stored in said storage means when the help key is operated, and causes said display means to display details of the setting window if information concerning the details of the message corresponding to the message displayed on said display means is not stored in said storage means (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

The control means for controlling operation of said image printing apparatus, operating means for allowing the user to perform input operation, and display means for changing a display window in accordance with a key input, wherein said operating means includes a help key for allowing the user to select a help function, and said control means controls said display means to display details indicating that image printing cannot be started, when the help function is selected by the help key while said display means is displaying information indicating that the image printing cannot be started.

The control means for controlling operation of said image printing apparatus, operating means for allowing the user to perform input operation, and display means for changing a display window in accordance with a key input, wherein said operating means includes a help key for allowing the user to select a help function, and said control means controls said display means to

Art Unit: 2852

display details of an operation instruction for the user, when the help function is selected by the help key while said display means is displaying information for the operation instruction for the user (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37). The operating means includes a help key for allowing the user to select a help function, and said control means controls said display means to display identification information for allowing the user to identify each of a plurality of messages displayed on said display means as a message for which whether or not details of the message can be displayed through the help function (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37). The operating means for allowing the user to perform input operation, and display means for changing a display window in accordance with a key input, the operating means including a help key for allowing the user to select a help function, comprising, when the help function is selected by the help key while the display means is displaying information indicating that image printing cannot be started is displayed, controlling the display means to display details indicating that the image printing cannot be started (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

The help function is selected by the help key while the display means is displaying an operation instruction for the user, controlling the display means to display details of an operation instruction for the user (Figure 4; column 5, lines 4-16). The operating means including a help key for allowing the user to select a help function, comprising controlling the display means to display identification information for allowing the user to identify each of a plurality of messages displayed by the display means as a message for which whether or not details of the message can be displayed through the help function (Figure 4; column 5, lines 4-16; Figure 5A-5L; column 5, lines 17-37).

Response to Arguments


5. Applicant's arguments with respect to claims have been considered. The claims are indefinite and it is unclear what is being claimed. The claims remain rejected until the indefiniteness is resolved. See cited pertinent art.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana M. Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Quana M Grainger
Primary Examiner
Art Unit 2852